

IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

AXEL DIEGELMANN, *et al.*,

Plaintiffs-Appellants,

v.

JANET YELLEN, in her official capacity as  
Secretary of the United States Department of  
the Treasury, *et al.*,

Defendants-Appellees.

No. 24-5277

**APPELLANTS' STATEMENT OF ISSUES TO BE RAISED**

In accordance with this Court's order of December 10, 2024, Appellants Axel Diegelmann, Fritz Diegelmann, Rheingold Edelmetall AG, Rheingold Edelmetall GmbH, and Liemeta AG, submit this preliminary, non-binding statement of issues to be raised in this case:

1. Whether OFAC exceed its lawful authority in construing the term "procuring" in 31 CFR § 589.325 to extend beyond the manufacture and production of precious metals in Russia to the finished products' sale or transfer around the world;

2. Whether courts should, when interpreting the language of a regulation directed at a specific industry, ignore the definitions of terms used by that industry;
3. Whether the Secretary of the Treasury's Determination regarding the imposition of the sanctions against the metal and mining sector of the Russian Federation economy extends to the buying, selling and trading of precious metals of Russian origin regardless of where they were located and/or the buying, selling, and trading of precious metals, regardless of their origin, on behalf of Russian nationals; and
4. Whether there is substantial evidence to support OFAC's decision to find that Appellants "operated in the metals and mining sector of the Russian Federation economy."

Respectfully submitted,

By: /s/ Amir Toossi  
Amir Toossi  
Akrivis Law Group PLLC  
747 Third Avenue, 32<sup>nd</sup> Floor  
New York, NY 10022  
[atoossi@akrivislaw.com](mailto:atoossi@akrivislaw.com)  
(347) 949-0548

**CERTIFICATE OF SERVICE**

I, Amir Toossi, counsel for Appellant, certify that, on January 9, 2025, a public copy of the attached was filed with the Clerk through the Court's electronic filing system. I also hereby certify that counsel for all parties are registered users of the Court's electronic filing system and will be served by that system.

Respectfully submitted,

By: /s/ Amir Toossi  
Amir Toossi  
Akrivis Law Group, PLLC  
747 Third Avenue, 32nd Floor  
New York, NY 10022  
atoossi@akrivislaw.com  
(347) 949-0548

*Counsel for Appellants*